



General Assembly

**Substitute Bill No. 7032**

January Session, 2017

\* \_\_\_\_\_HB07032BA\_\_\_\_\_030817\_\_\_\_\_\*

**AN ACT REGARDING THE OFFICE OF THE STATE TREASURER'S  
RECOMMENDED REVISIONS TO THE ACHIEVING A BETTER LIFE  
EXPERIENCE PROGRAM.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 3-39j of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 As used in this section and sections 3-39k to 3-39q, inclusive:

4 (1) "Achieving a better life experience account" or "ABLE account"  
5 means an account established and maintained pursuant to sections 3-  
6 39k to 3-39q, inclusive, for the purposes of paying the qualified  
7 disability expenses related to the blindness or disability of a  
8 designated beneficiary.

9 (2) "Contracting state" means a state without a qualified ABLE  
10 program that has entered into a contract with [the State Treasurer or  
11 other officer of this] a state with a qualified ABLE program to provide  
12 residents of the contracting state with access to qualified ABLE  
13 programs.

14 (3) "Deposit" means a deposit, payment, contribution, gift or other  
15 transfer of funds.

16 (4) "Depositor" means any person making a deposit into an ABLE

17 account pursuant to a participation agreement.

18 (5) "Designated beneficiary" means any eligible individual [state  
19 resident or resident of a contracting state originally designated in the  
20 participation agreement who is an eligible individual and] who has  
21 established an ABLÉ account under a qualified ABLÉ program and is  
22 the owner of [an] such ABLÉ account.

23 (6) "Disability certification" means, with respect to an individual, a  
24 certification to the satisfaction of the Secretary of the Treasury of the  
25 United States by the individual or the parent or guardian of the  
26 individual that (A) certifies that (i) the individual has a medically  
27 determinable physical or mental impairment, that results in marked  
28 and severe functional limitations, and that can be expected to result in  
29 death or that has lasted or can be expected to last for a continuous  
30 period of not less than twelve months, or is blind within the meaning  
31 of Section 1614(a)(2) of the Social Security Act, and (ii) such  
32 impairment or blindness occurred before the date on which the  
33 individual attained the age of twenty-six, and (B) includes a copy of  
34 the individual's diagnosis relating to the individual's relevant  
35 impairment or blindness that is signed by a physician who is licensed  
36 pursuant to chapter 370 or, to the extent permitted by federal law, (i)  
37 an advanced practice registered nurse who is licensed pursuant to  
38 chapter 378, or (ii) if the individual's impairment is blindness, an  
39 optometrist licensed pursuant to chapter 380.

40 (7) "Eligible individual" means an individual who is entitled to  
41 benefits during a taxable year based on blindness or disability under  
42 Title II or XVI of the Social Security Act, and such blindness or  
43 disability occurred before the date on which the individual attained  
44 the age of twenty-six, provided a disability certification with respect to  
45 such individual is filed with the State Treasurer for such taxable year.

46 (8) "Federal ABLÉ Act" means the federal ABLÉ Act of 2014, P.L.  
47 113-295, as amended from time to time.

48 (9) "Participation agreement" means an agreement between the trust  
 49 established pursuant to section 3-39k and depositors that provides for  
 50 participation in an ABLE account for the benefit of a designated  
 51 beneficiary.

52 (10) "Qualified disability expenses" means any expenses related to  
 53 an eligible individual's blindness or disability that are made for the  
 54 benefit of an eligible individual who is the designated beneficiary,  
 55 including the following expenses: Education, housing, transportation,  
 56 employment training and support, assistive technology and personal  
 57 support services, health, prevention and wellness, financial  
 58 management and administrative services, legal fees, expenses for  
 59 oversight and monitoring, funeral and burial expenses, and other  
 60 expenses that are approved by the Secretary of the Treasury of the  
 61 United States under regulations adopted by the Secretary pursuant to  
 62 the federal ABLE Act.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	3-39j
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**BA** Joint Favorable Subst.